

COASTAL CONSERVANCY

Staff Recommendation
December 4, 2014

USAL-SHADY DELL CREEK CALIFORNIA COASTAL TRAIL

Project No. 10-030-03
Project Manager: Lisa Ames

RECOMMENDED ACTION: Consideration and possible Conservancy authorization to disburse up to \$350,000 to Save the Redwoods League to construct a 2.3 mile section of the California Coastal Trail on the Usal-Shady Dell Creek Property, northern Mendocino County.

LOCATION: Adjacent to and south of Usal Beach, Northern Mendocino County

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location and Site Map](#)
Exhibit 2: [Photographs](#)
Exhibit 3: [Project Letters](#)
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 *et. seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred fifty thousand dollars (\$350,000) to Save the Redwoods League (SRL) to construct an approximately 2.3-mile segment of the California Coastal Trail on the Usal-Shady Dell Creek property in northern Mendocino County, subject to the following conditions:

1. Prior to the disbursement of any funds for the project, SRL shall submit for the review and approval of the Executive Officer:
 - a) A work program, schedule, budget and the names and qualifications of any contractors.
 - b) Evidence that all necessary permits and approvals have been obtained.
2. SRL shall ensure the project is consistent with the Conservancy’s “Standards and Recommendations for Accessway Location and Development” and with all applicable

federal and state statutes, regulations, and guidelines governing access for persons with disabilities.

3. SRL shall install coastal trail emblems provided by the Conservancy at locations identified in the project area in consultation with the Conservancy.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public access.
3. SRL is a private nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code and its purposes are consistent with Division 21 of the Public Resources Code.”

PROJECT SUMMARY:

Staff recommends the Conservancy authorize the disbursement of up to \$350,000 to Save the Redwoods League (SRL) to construct a new 2.3 mile segment of the California Coastal Trail on the 957-acre Usal-Shady Dell Creek property in northern Mendocino County (See Exhibit 1: Project Location). SRL will work in partnership with the Mendocino Land Trust and the California Conservation Corps to construct the pedestrian trail which will include several boardwalks, retaining walls, interpretive and directional signage, stairs, benches, a 25-foot pedestrian bridge, a viewing platform, and associated parking. This project will implement a planning effort previously funded by the Conservancy.

The Shady Dell segment of the California Coastal Trail (CCT) will extend the “Lost Coast” section of the CCT 2.3 miles southward into varied habitats, including the Trees of Mystery (a spectacular grove of stunted, old growth redwood trees shaped like candelabras), along Shady Dell Creek, and then west of the existing county road, providing inspiring views of the rugged northern Mendocino Coast (Exhibit 2: Photographs). The trail will be named the “Peter Douglas Coastal Trail” in honor of the former director of the Coastal Commission.

SRL acquired the property in October 2011 with funding assistance from the Conservancy and private donors. A primary goal of the acquisition was to develop a new segment of the coastal trail that would connect on the northern edge of the property to existing CCT in the Sinkyone Wilderness State Park. In October 2012, the Conservancy awarded SRL funds to develop an access plan that comprised archaeology, botanical, wetland and wildlife surveys to inform the design of the trail and associated improvements and analysis of environmental impacts pursuant to the California Environmental Quality Act. SRL has completed the planning and designs,

obtained the necessary permits and is now seeking funding for construction to accomplish the access goals of the acquisition.

SRL's history of conservation work in the area dates back to 1922 with acquisitions on the eastern edge of the Usal Forest Conservation Project. The Conservancy has worked with SRL on a number of north coast acquisition projects over the last decade, including the 25,000 acre Mill Creek acquisition in Del Norte County, and smaller acquisitions at Humboldt Lagoons State Park and Montgomery Woods State Park in the upper Big River watershed. More recently, SRL stepped in to provide interim funding for the Jenner Headlands acquisition in Sonoma County when the State funding was frozen. SRL has proven its capabilities as a strong participant in conserving the coast. SRL is a 501(c)(3) organization established to preserve and save portions of the redwood forests for scenic, recreational and wildlife preservation purposes.

SRL will work closely with the Mendocino Land Trust (MLT) to implement the project. MLT has a history of conservation and public access achievements in Mendocino County, and thus is well-suited to carry out this project with SRL. Some of the MLT's many successful public access projects with the Conservancy include preparing the Mendocino County Coastal Trail Strategic Plan, constructing new trails and overlooks in Mendocino, Caspar, and Fort Bragg, and constructing trails and a parking lot at Navarro Point and Kibesillah.

Site Description:

The Shady Dell Creek property is adjacent to the 7,800-acre Sinkyone Wilderness State Park to the north and the 49,500 acre Redwood Forest Foundation property to the east, which is conserved by a working forest easement. Also to the north is the Sinkyone Intertribal Wilderness Council land, which connects to the 60,000-acre King Range National Conservation Area, managed by the Bureau of Land Management. To the south are lands managed by Soper-Wheeler, a private timber company. Elevations across the property range from nine feet to 938 feet and slopes from 0-80%.

The 957-acre property contains a variety of highly valuable habitats, including one mile of coastline with sandy beach and steep coastal bluffs, as well as riparian and forested habitat types. The coastal bluff scrub provides habitat for as many as five sensitive plant species, including Mendocino Coast Indian Paintbrush. Records from the California Natural Diversity Database indicate several occurrences of an old forest lichen named "Methuselah's beard lichen" (*Usnea Longissima*) on the parcel, suggesting complex forest structure. The property also offers habitat for the Northern Spotted Owl and large fauna such as elk, deer, bear and bobcats. Early to mid-succession redwood and Douglas fir forest surrounds Shady Dell Creek, a tributary of Usal Creek, which supports habitat for Chinook salmon, coho salmon and steelhead trout.

The planned trail corridor will meander through redwood forest, coastal bluff scrub and coastal prairie habitats. As designed, the trail will largely be constructed along the footprint of an existing legacy logging road, which will minimize any impacts to the plant and animal populations present. The trail route will include a ten foot buffer to avoid impacting a rare moss population (*Fissidens pauperculus* - poor pocket moss) discovered during the botanical study.

Project History:

SRL was awarded \$3,000,000 by the Conservancy in January 2011 to assist with the purchase of the Shady Dell Creek property, and provided \$2,500,000 in private matching funds. The

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acquisition, completed in October 2011, was part of the 50,000-acre Usal Forest Conservation Project, a cooperative project of the Redwood Forest Foundation Inc (RFFI), the Conservation Fund, SRL, the Coastal Conservancy, and the Wildlife Conservation Board. The majority of RFFI's property was conserved through a working forest conservation easement. The portion of the property deemed most suitable for public acquisition and access was the Shady Dell Creek property, and thus it was acquired in fee.

One of the primary purposes of the acquisition was the development of new California Coastal Trail. In October 2012, the Conservancy awarded SRL \$78,750 to develop an access plan that included archaeology, botanical, wetland and wildlife surveys, engineering designs for the trail and associated improvements and permit applications. SRL has completed the planning and is now seeking funding to construct the 2.3 mile coastal trail.

The Conservancy has a long history of developing and implementing projects in the vicinity. In addition to the Usal-Shady Dell Creek acquisition and public access planning, the Conservancy provided funding for the Sinkyone State Park acquisitions in the late 1980s, and sold land to the Intertribal Sinkyone Wilderness Council (ITSWC) for creation of their wilderness park in the 1990s. Subsequently, the Conservancy awarded a grant to ITWSC to plan for and construct two trails on that property connecting to the Sinkyone State Park, and has also worked with the ITSWC on implementation of anadromous fish habitat improvement projects.

PROJECT FINANCING

Coastal Conservancy	350,000
Save the Redwoods League	<u>100,000</u>

Total Project Costs	\$ 450,000
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The expected source for the Conservancy funds for this authorization is an appropriation to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, "Proposition 84," Public Resources Code section 75001 *et seq.* Subsection 75060(b) of the Public Resources Code authorizes the use of these funds for projects that promote access to and enjoyment of the coastal resources of the state and that are consistent with the Conservancy's enabling legislation, Division 21 of the Public Resources Code. The proposed project serves to promote access to coastal resources by constructing a new segment of CCT, and is consistent with Chapter 9 of Division 21 as explained below. Therefore, it is appropriate to use Proposition 84 funds for the proposed project.

In addition to the \$100,000 committed for implementation from SRL, the Mendocino Land Trust will organize volunteer trail crew labor valued at \$10,000 towards the project.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 *et seq.*).

Section 31400 states that it is the intent of the Legislature that the Conservancy have a principal role in the implementation of a system of public accessways to and along the state's coastline.

Pursuant to section 31400.1 the Conservancy may award grants to nonprofit organizations to develop lands for public access to and along the coast. SRL is a 501(c)(3) nonprofit organization.

Pursuant to section 31400.2, the Conservancy may provide up to the total cost of the initial development of public accessways by a nonprofit organization. Consistent with this section, the amount of funding provided by the Conservancy has been determined by the total amount of funding available for coastal public accessway projects, the fiscal resources of the applicant, the urgency of the project relative to other eligible projects, and the application of the Conservancy's Project Selection Criteria and Guidelines, as described below.

Pursuant to section 31400.3, the Conservancy may provide such assistance as is required to aid nonprofit organizations in establishing a system of public coastal accessways. The Conservancy's funding will enable SRL to establish public access on the Shady Dell property.

Pursuant to section 31408, the Conservancy shall coordinate the development of the California Coastal Trail. The proposed project will construct 2.3 miles of new coastal trail.

CONSISTENCY WITH CONSERVANCY'S 2013 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 1, Objective D** of the Conservancy's 2013 Strategic Plan, the proposed project will construct an approximately 2.3 mile segment of new coastal trail within land held by SRL.

Consistent with **Goal 2, Objective B** of the Conservancy's 2013 Strategic Plan, the proposed project will open a coastal area that is currently closed to public use.

CONSISTENCY WITH CONSERVANCY'S STANDARDS AND RECOMMENDATIONS FOR ACCESSWAY LOCATION AND DEVELOPMENT

The Conservancy-adopted "*Standards and Recommendations for Accessway Location and Development*" is relevant to the proposed project. The proposed project is consistent with all applicable standards.

Consistent with Standards 1, 2 and 5, the proposed project will prevent misuse of coastal resources by locating the trail to minimize alteration of natural landforms and be subordinate to the setting's character, prevent unwarranted hazards to the land and public safety, correct erosion potential and protect environmentally sensitive habitats.

Consistent with Standard 8, the proposed project will provide continuous public access by extending south the California Coastal Trail from the Sinkyone State Park. The project will add a new trail segment along the coastal bluffs and avoid geologically unstable and erosive soils. The trail will feature steps, footbridges, appropriate paving materials, an adequate trail drainage system, benches, and signs to promote safe access and inform the public about the local environment.

Consistent with Standard No. 12, the proposed project includes many support facilities to accommodate public use of the site, including signs, benches, a viewing platform, and parking.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on November 10, 2011, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Promotion and implementation of state plans and policies:** The proposed project will construct 2.3 miles of new coastal trail and thus implement a priority of the Coastal Conservancy's *Completing the California Coastal Trail* Plan. In addition, construction of the Shady Dell Coastal Trail will implement one of the goals of the regionally-specific *Strategic Plan for the Coastal Trail in Mendocino County*.
4. **Support of the public:** The proposed project is supported by numerous members of the public and elected officials as evidenced by the letters of support that are included in Exhibit 3.
5. **Location:** The proposed project is located within the coastal zone of Mendocino County.
6. **Need:** The project will not move forward absent Conservancy participation. The trail will provide a new amenity for visitors to the Usal Beach campground, and hikers on the Lost Coast. Without the development of a formal trail, it is likely that visitors will develop volunteer trails across the property, which might impact sensitive natural resources.
7. **Greater-than-local interest:** Completion of a contiguous CCT has been a goal of Californians for decades. California's Lost Coast has become a destination for local, regional, and international visitors seeking inspiring, undeveloped coastal views, rigorous hiking, and solitude. The proposed project will add 2.3 miles to the Lost Coast trail system.
8. **Sea level rise vulnerability:** Vulnerability to sea level rise is minimal on the Shady Dell property. The southern portion of the property contains steep coastal bluffs that provide stunning views, but no access to the shoreline. The northern portion, where the shoreline is accessible from the Sinkyone Wilderness State Park, could become less accessible with anticipated sea level rise over the next 50-100 years. However, because the proposed coastal trail will occur on the blufftop, access to the property would be maintained. The remainder of the Shady Dell property would not be impacted by anticipated sea level rise, and in fact, could provide alternative locations for public access improvements currently located in potentially vulnerable areas on the existing state park.

Additional Criteria

9. **Resolution of more than one issue:** Trail construction will balance the need for improved public access facilities with protection of sensitive habitats and rare species.

10. **Leverage:** See the “Project Financing” section above.
11. **Readiness:** SRL has developed a scope of work, budget and timeline, and is prepared to proceed upon Conservancy approval. The project is expected to be constructed within two years.
12. **Realization of prior Conservancy goals:** See “Project History” above.
13. **Cooperation:** SRL will coordinate with State Parks, the Mendocino Land Trust, California Department of Fish and Wildlife, the Conservancy, the California Conservation Corps and coastal trail advocates during trail construction.
14. **Minimization of greenhouse gas emissions:** Aside from car trips to the site to complete trail construction and use of chain saws to remove fallen logs from the trail corridor, this CCT construction project should not contribute appreciably to greenhouse gas emissions and climate change. Once trail construction is completed, the public will have a new opportunity to get out and hike a beautiful new section of CCT, an activity with no carbon footprint.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the Mendocino County Local Coastal Plan. Specifically, Policy 4.1-2 states “a hiking trail should be developed.... It should extend from the Humboldt County line southward beyond the southern limits of the (Sinkyone Wilderness) State Park and along the Usal Road to State Highway 1.”

Policy 4.1-3 states “The Board of Supervisors or appropriate entity should continue to negotiate for a trail from Humboldt County line southward to connect with other trails within the Coastal Zone.”

Policy 4.1-10 states “coastal trails shall be established for hiking and equestrian use...along the Briceland Road and Usal Creek, and aligned with other trail segments to the south.”

COMPLIANCE WITH CEQA:

The proposed project involves construction of a 2.3 mile pedestrian trail which will include three wooden boardwalks, retaining walls, interpretive and directional signage, stairs, benches, a 25-foot pedestrian bridge, a viewing platform, and a small parking area. Most of the trail will be constructed on a legacy logging road and require minor vegetation removal. The trail has been designed to include a ten foot buffer to avoid any disturbance to a rare moss (*Fissidens pauperculus*) found to occur in the vicinity.

The proposed project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Cal. Code of Regulations §§ 15303 and 15304. Pursuant to §15303, the project is exempt in that it will involve construction of small structures such as three boardwalks to avoid drainage areas on the trail, a pedestrian bridge to cross Shady Dell Creek, stairs to facilitate climbing a steep slope and prevent erosion, and retaining walls to reinforce portions of the legacy logging road for hiker safety and to prevent further erosion. Pursuant to §15304, the project is exempt because it will involve a minor alteration to land, removal of non-

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native vegetation on land with a slope less than 10% for the parking area and trail. Staff will file a “Notice of Exemption” upon approval of this project.